

1 Peter W. Daniel (SBN 179107)  
2 **Hannig Law Firm LLP**  
2991 El Camino Real  
Redwood City, California 94061-4003  
3 Telephone: (650) 482-3040  
4 Facsimile: (650) 482-2820

Attorneys for Plaintiffs  
5 PAUL A. JACQUES and JEAN L. JACQUES

6  
7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9  
10 San Francisco Division

11 PAUL A. JACQUES and  
12 JEAN L. JACQUES,

13 Plaintiffs,

14 vs.

15 HYATT CORPORATION, a Delaware  
corporation, dba MAUI HYATT RESORT,  
16 dba HYATT REGENCY MAUI RESORT  
& SPA; MEDICAL TECHNOLOGY,  
17 INC., a Texas corporation, dba BLEDSOE  
BRACE SYSTEMS; and DOES 1 to 125,  
18 inclusive,

19 Defendants.  
20

Case No. C 11-05364 NC

MOTION FOR APPROVAL OF  
STIPULATIONS AND ORDERS OF  
SETTLEMENT AND DISMISSAL

Trial Date: October 21, 2013  
Time: 8:00 a.m.  
Courtroom: A – 15<sup>th</sup> Floor

21 Plaintiffs Paul Jacques and Jean Jacques, by Peter W. Daniel, their attorney, respectfully  
22 move the court to approve and sign the Stipulations and Orders of Settlement and Dismissal  
23 submitted herewith. There is one stipulated dismissal for plaintiff Paul Jacques and another  
24 Stipulated Dismissal for plaintiff Jean Jacques. There are no other plaintiffs to the action.  
25 Defendant Hyatt Corporation, dba Maui Hyatt Resort, dba Hyatt Regency Maui Resort is the last  
26 remaining defendant in the action.  
27

28 These Stipulations and Orders of Settlement and Dismissal would dispose of the case in

1 its entirety and would eliminate the need for the trial currently set to begin on October 21, 2013.

2 Counsel for defendant has been consulted and agrees with the requested relief, as shown  
3 by counsel's endorsement of the Stipulations and Orders of Settlement and Dismissal.  
4

5 Respectfully submitted,

6 Dated: October 16, 2013

7  
8 By: 

Peter W. Daniel

**HANNIG LAW FIRM LLP**

2991 El Camino Real

Redwood City, California 94061

*Attorneys for Plaintiffs*

DECLARATION OF PETER W. DANIEL

I, Peter W. Daniel, declare the following:

1. I am the attorney for plaintiffs Paul Jacques and Jean Jacques.

2. On October 4, 2013, Mr. Descalso and I confirmed that the plaintiffs and defendant had agreed to a settlement sum which would resolve all issues in this matter. This settlement sum was confirmed a number of times in writing between Mr. Descalso and I, and is satisfactory to my clients.

3. On October 16, 2013, Mr. Descalso and I executed the Stipulations for Dismissal submitted herewith with full authority from our respective clients.

4. It is necessary for this application to be heard on shortened time because the trial date is currently set to begin on October 21, 2013.

5. In addition, after our agreement to settle the case, on Sunday October 6, I learned that my mother, Katherine Daniel of Redondo Beach California, was diagnosed with cancer of the liver, and that immediate surgery is necessary. The surgery is scheduled for 7:30 a.m. on October 22, 2013, the second day scheduled for trial. The surgery will take place at UCLA Medical Center in Los Angeles. I hope to travel to Los Angeles to be with my mother and to drive her to the surgery, if at all possible. At this point, she does not have anyone else to drive her to the hospital at 5:00 a.m. on October 22.

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6. For the foregoing reasons, plaintiffs request with defendant's agreement, that each respective Stipulation and Order of Settlement and Dismissals be executed by the Court, and that the trial date be vacated.

7. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: October 16, 2013

By:

Peter W. Daniel

**HANNIG LAW FIRM LLP**

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Redwood City, California 94061

*Attorneys for Plaintiffs*